

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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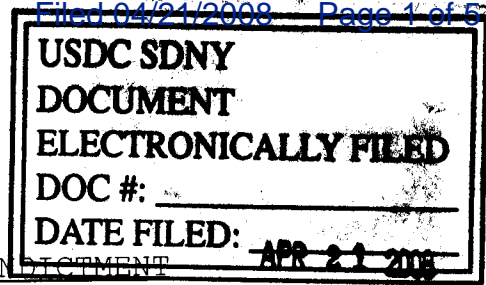
UNITED STATES OF AMERICA :

- v. - :

JOSE NEGRON, :

Defendant. :

- - - - - x



08 Cr.

08 CRIM 347

COUNT ONE

(Conspiracy To Commit Bank Fraud)

The Grand Jury charges:

1. From in or about April 2005, up to and including in or about June 2005, in the Southern District of New York and elsewhere, JOSE NEGRON, the defendant, and others known and unknown, unlawfully, willfully, and knowingly, did combine, conspire, confederate, and agree together and with each other to violate Title 18, United States Code, Section 1344.

2. It was a part and an object of the conspiracy that JOSE NEGRON, the defendant, unlawfully, willfully, and knowingly would and did execute and attempt to execute a scheme and artifice to defraud a financial institution, namely, Bank of America, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain monies, funds, credits, assets, securities, and property owned by, and under the custody and control of, such financial institution, by means of false and fraudulent pretenses, representations, and promises.

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about April 19, 2005, in the Southern District of New York, JOSE NEGRON, the defendant, opened a checking account with Bank of America, into which stolen and fraudulently endorsed United States Treasury checks were later deposited.

b. On or about May 27, 2005, in the Southern District of New York, NEGRON withdrew funds from the checking account.

(Title 18, United States Code, Section 1349.)

COUNT TWO

(Bank Fraud)

The Grand Jury further charges:

4. From in or about April 2005, up to and including in or about June 2005, in the Southern District of New York and elsewhere, JOSE NEGRON, the defendant, unlawfully, willfully, and knowingly, did execute and attempt to execute a scheme and artifice to defraud a financial institution, namely, Bank of America, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, and other property owned by, and under the custody and control of, such financial institution, by means of false and fraudulent pretenses, representations, and promises, to

wit, NEGRON opened a Bank of America checking account into which stolen and fraudulently endorsed United States Treasury checks were deposited.

(Title 18, United States Codes, Sections 1344 and 2.)

FORFEITURE ALLEGATION

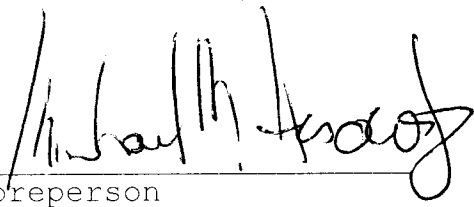
5. As the result of committing one or more of the offenses alleged in Counts One and Two of this Indictment, JOSE NEGRON, the defendant, shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses.

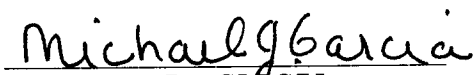
Substitute Assets

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendant
- a. cannot be located upon the exercise of due diligence;
 - b. has been transferred or sold to, or deposited with, a third party;
 - c. has been placed beyond the jurisdiction of the court;
 - d. has been substantially diminished in value; or
 - e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property.

(Title 18, United States Code, Section 981;
Title 28, United States Code, Section 2461; and
Title 18, United States Code, Sections 1029 and 371.)


Foreperson


MICHAEL J. GARCIA

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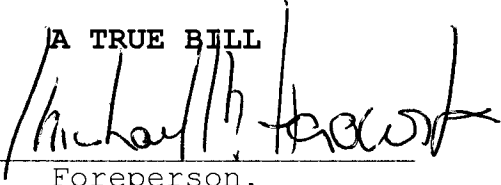
INDICTMENT

08 Cr.

(18 U.S.C. §§ 1349, 1344, 2)


MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL


Foreperson.

Post-It 4/21/08
4/21/08- Fld Indictment, case assigned
to Judge Cote for all purposes. Arrest
Warrant Issued.

So Ordered. . .

S/ Eaton, Douglas F. 
U.S.M.G. #8